

SERIAL NO. 10/077,612

IN THE CLAIMS

Claim 1. (Cancelled by this Amendment).

Claim 2. (Cancelled by this Amendment).

Claim 3. (Cancelled by this Amendment).

Claim 4. (Cancelled by this Amendment).

Claim 5. (Cancelled by this Amendment).

Claim 6. (Cancelled by this Amendment).

Claim 7. (Currently Amended by this Amendment) A gel resistant, biocidally active concentrate or solution ~~having a propensity to form a gel~~ containing (a) between about 0.05 and about 25 wt.% of a biocidally active component; (b) between about 0 and about 40 wt.% of an organic oil; (c) between about 2 and about 20 wt.% of a terminally hindered carbodiimide; (d) between about 10 and about 80 wt.% of a lipophilic/hydrophilic emulsifier mixture having a HLB of from about 6 to 20 and (e) between about 0.5 and about 20 wt.%, based on (a) through (d), of an aliphatic anti-gelling agent selected from the group consisting of an inorganic oxide, an epoxidized ester of a naturally occurring or synthetic vegetable oil and an epoxidized ester of a saturated or unsaturated C<sub>6</sub> to C<sub>18</sub> aliphatic acid optionally containing hydroxy substitution and mixtures of said anti-gelling agents.

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Claim 8. (Original) The gel-resistant biocidally active concentrate or solution of claim 7 in which said anti-gelling agent is an epoxidized compound wherein the epoxy moiety represents at least 5% of the total double bond and/or hydroxy content in the anti-gelling agent compound.

Claim 9. (Original) The composition of claim 7 wherein said carbodiimide contains a terminal nitrogen atom substituted with a radical selected from the group consisting of a lower alkyl phenyl, sulfonate, sulfonamide, imido, imidoester.

Claim 10. (Original) The composition of claim 7 wherein said carbodiimide is bis(tetra-and/or di- isopropyl phenyl) carbodiimide.

Claim 11. (Original) The composition of claim 7 wherein said carbodiimide is bis(alkoxyphenyl)carbodiimide.

Claim 12. (Original) The composition of claim 7 wherein said emulsifier mixture has an acid number less than 5.

Claim 13. (Original) The composition of claim 12 wherein said emulsifier mixture includes an oil containing 5 to 60 C<sub>2</sub> to C<sub>3</sub> alkoxy groups.

Claim 14. (Original) The composition of claim 7 wherein said emulsifier mixture includes an ethoxylated castor oil.

Claim 15. (Original) The composition of claim 7 wherein said hydrophilic emulsifier is a hydroxylated ester of a carboxylic acid which contains 5 to 60 C<sub>2</sub> to C<sub>3</sub> alkoxy units or a mixture thereof.

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Claim 16. (Original) The composition of claim 7 wherein said hydrophilic emulsifier is selected from the group consisting of an ethoxylated sorbitan mono-, di- and/or tri- oleate and a C<sub>8</sub> to C<sub>12</sub> alkyl phosphate or a mixture thereof.

Claim 17. (Original) The composition of claim 7 wherein said anti-gelling agent is employed at a concentration of between about 1 and about 15 wt.% of components (a) through (d) of the concentrate composition.

Claim 18. (Original) The composition of claim 7 wherein said anti-gelling agent is an oxide of Ca, Mg, Zn or Al or a mixture thereof.

Claim 19. (Original) The composition of claim 18 wherein said anti-gelling agent is Al<sub>2</sub>O<sub>3</sub>.

Claim 20. (Previously Amended) The composition of claim 7 wherein said anti-gelling agent is selected from the group consisting of epoxylated linseed, safflower or soybean oil or a mixture thereof.

Claim 21. (Original) The composition of claim 7 wherein said anti-gelling agent is epoxidized linseed oil.

Claim 22. (Previously Amended) The composition of claim 7 wherein the HLB of the emulsifier mixture is between 6 and 11.

Claim 23. (Cancelled by this Amendment).

Claim 24. (Cancelled by this Amendment).

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Claim 25. (Cancelled by this Amendment).

Claim 26. (Cancelled by this Amendment).

Claim 27. (Cancelled by this Amendment).

Claim 28. (Previously Amended) The concentrate of claim 7 wherein the biocidal composition is water insoluble and the composition contains between about 5 and about 40 wt. % of a N-C<sub>8</sub> to C<sub>12</sub> alkyl pyrrolidone oil mixture.

Claim 29. (Previously added) The concentrate of claim 7 wherein the anti-gelling agent is a mixture containing at least two of the components selected from the group consisting of Ca oxide, epoxidized soybean oil and sorbitol.

Claim 30. (Previously added) The concentrate of claim 7 wherein the anti-gelling agent is a mixture of Ca oxide and epoxidized linseed oil or soybean oil.